

June 19, 2003

Michigan Supreme Court  
Office of the Clerk of the Court  
P. O. Box 30052  
Lansing, MI 48909

To Whom It May Concern:

My husband and I were divorced after more than 12 years of marriage. When he left to go live with another woman, he took with him his position as a full-time father and his income of more than \$80K per year. Since that time, the counting of overnights has become more of a priority to him than providing the financial support needed to maintain the continuity that his children not only need and deserve, but which was in place before he left.

The custodial parent has been designated as such because the court has deemed that parent most capable of providing a more stable environment to meet the needs of their children. By reducing the amount of financial support available, the court will be limiting the resources of the custodial parent needed to maintain what the court itself has determined to be a lifestyle to which the children are entitled. This decision would undermine the circumstances that the court found to be so favorable and positive when the custody issues were being decided.

The message that the State of Michigan will be sending to custodial parents by lowering the number of overnights from 128 to 52 is demeaning and shows lack of respect for the amount of time, care and work that a single parent provides for his/her children. The amount of effort that this parent lovingly provides for his/her children should not be threatened in any way.

Should the number of overnight visits be reduced to 52, the State of Michigan is acknowledging that the non-custodial parent will be caring for his/her children 15% of a calendar year, with the remaining 85% of the year delegated to the custodial parent. At present, even with the 128 number in place, the custodial parent is still caring for his/her children more than 65% of their lives and, in addition, the State also allows for a 50% reduction in weekly child support should the non-custodial parent have the children six (6) or more overnights in a row.

It is my understanding that one of the objectives of the Friend of the Court is to assist in promoting and facilitating additional parenting time for the non-custodial parent whenever possible. Given that most of the cases currently being decided and recommended are based on the non-custodial parent receiving 3-day weekends, summer vacation time and alternating holidays, the overnight rule of 52 nights has already been well surpassed.

Custodial parents struggle daily with the financial hardships brought upon them by divorce. Providing for our children on *all* levels should be top priority, and when custodial parents are financially punished when they try to provide a more ample structure for bonding time with the non-custodial parent then the main objective of the total “nurturing” package has been distorted. In my opinion, the State would be financially rewarding a non-custodial parent for reducing their time spent with their children to only weekly visits and periodic parenting responsibilities.

While individual cases vary, my situation has dictated that I take out home equity loans, cash in retirement accounts and drastically reduce expenses simply to keep my children in their school, their neighborhood, with their friends and minimize disruptions in their lives that divorce can cause, all while maintaining my full time job. By further limiting the child support standards for the non-custodial parent, the court severely limits the ability of the custodial parent to maintain the children’s continuity of life they claim to espouse.

It appears that those who favor the lowering of the overnights feel there is no direct relationship between the time spent caring for the children and the financial support required to maintain and meet the needs of children to continue their lives with as little disruption as possible. Custodial parents who follow their Friend of the Court recommendation by giving and providing additional non-custodial parenting time in an attempt to fulfill their children’s needs by being with both parents will not only suffer from this change financially, but will be forced to choose between fostering a good relationship and receiving the financial support that is necessary. Some may no longer be as receptive to offer additional time to the other parent for fear of the financial penalty the new overnight rule will produce.

The State of Michigan’s cost-of-living index is one of the highest in the country. Single parents striving to provide the best and most proper care for their children in this state will be severely penalized and burdened by a reduction in child support that financially rewards a non-custodial parent for one overnight stay per week. A parent’s responsibility to his children should not be waived or dismissed simply because he no longer resides on a daily basis with them. The choices that are made by a child’s parents come with responsibilities. It is hard enough for a custodial parent to fully provide for his/her children as a single parent, and it is unforgivable to add to that burden by threatening the assistance due from the non-custodial parent over such an unfair “numbers game” dressed up as this new bill. Allowing this change will directly threaten many families in this State; it will most definitely produce a dramatic downfall in the quality of the lives of the many children it will affect - children whose welfare the court has sworn to protect.

Thank you for allowing me to speak to you on my children’s behalf.

Sincerely,

Angie D. Klebba  
Clarkston, MI 48348  
Oakland County Case # 01-